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In re Application of :
Love et al. :
Application No. 10/089,276 :
PCT No.: PCT/AU00/00919 :
Int. Filing Date: 02 August 2000 : COMMUNICATION
Priority Date: 30 September 1999 :
Atty. Docket No.: CU-2882 RJS :
For: Single Mode Optical :
Waveguide Fibre :

This is in response to "Response To Communication Regarding Decision On Papers Filed Under 37 CFR 1.42" filed on 28 May 2004.

DISCUSSION

On 10 March 2004, a Communication was mailed to counsel, explaining that "The Declaration filed on 03 June 2002 remains defective" because

The four Declarations were defective in that the evidence of record (in the form of the paginations appearing on the bottom of each Declaration sheet) suggests that each of the four Declarations consisted of 7 sheets, but only six sheets are present in each such Declaration. Did counsel originally number the Declaration pages with the intent to include a sheet listing information for the legal representative of the deceased joint inventor, and later omit such sheet, or is there another explanation for the paginations? It is unclear whether joint inventors John Love, David Thorncraft, Ronald Bailey, Simon Fleming, Mark Sceats, Leon Poladian, Thomas Ryan and Peter Krug signed complete declarations, since the declarations bearing their signatures do not include page 7 of 7.

As such, applicants were required to file a new executed oath or declaration. The instant response is accompanied by an acceptable declaration. As such, applicants have now satisfied the requirements of the 01 March 2004 Communication.

CONCLUSION

The declaration filed on 28 May 2004 is ACCEPTED.

This application was accorded status under 37 CFR 1.42 by the Decision mailed on 28 January 2003. Therefore, the date of this application under 35 U.S.C. 371(c)(1), (2) and (4) is 28 May 2004.

This application is being returned to the National Stage Processing Branch for further processing.



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